

**SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
6:00 PM – TUESDAY, NOVEMBER 15, 2016**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

II. CALL TO ORDER

Meeting was called to order at 6:00 P.M.
Pledge of Allegiance
Moment of Silence
Silence Cell Phones & Pagers

III. SPECIAL AGENDA

- A. Public hearing in partnership with Maricopa County Human Services to request public comments on a change in use for the El Mirage CDBG funded fire station, built in 1997, to a proposed new use as an ambulance station to serve the City of El Mirage. (Finance)

Mayor Mook convened into Public Hearing.

City Manager Dr. Spencer Isom, Finance Director Robert Nilles and Grants Writer Janeen Gaskins presented. Mr. Nilles stated this Public Hearing is specifically to meet HUD and CDBG requirements and will consist of four sections: history, comments from Dr. Isom, general terms of an eventual agreement, and repurpose justification. Representatives Rachel Milne and Carl Morgan from Maricopa County Human Services were present at this public hearing.

The original station was constructed in 1997 with CDBG funds of \$517,000 and the City's land contribution valued at \$133,000. A new fire station, located adjacent to this station on the north side, began construction in 2011 and was completed in 2012. During this time, the City explored repurposing options with Maricopa County for the original station given the federal restrictions on uses. Over the past several years the City's ambulance service, Southwest Ambulance/Rural Metro, filed bankruptcy and the City began negotiating with AMR for a back-up service agreement. Since then AMR has acquired SW Ambulance and is operating in an area approximately two miles south on El Mirage Road. The City is currently seeking approval from HUD and the County to repurpose the original fire station to enhance ambulatory services in the downtown area of El Mirage.

General terms of the proposed agreement include 72,871 square feet of land, 5,245 square feet of building space, with an initial term of 36 months that is cancellable if AMR loses its Certificate of Necessity (CON). Tenant will have use for operations, housing, staging, and other related administrative and support functions. Tenant will provide maintenance and improvements in lieu

of rent. Cost savings to the City include building maintenance, ground maintenance, utilities, equipment repairs/ replacement, tenant improvements and insurance for a minimum savings of \$10,000 per year.

Repurposing justification includes the HUD requirements of meeting national objectives; it is a HUD eligible activity and is non-governmental. This purpose serves a targeted population of 0-5 years old as well as 65 and older years old with a 53% low income resident population. The building is considered "non-entitlement" which means it will always be a HUD building; the option to sell the property and pay HUD for fair-market value has been determined not feasible. El Mirage is a federally recognized medically underserved area and moving this service to the center of the city would improve response times and provide certified ambulance services near the current fire station, near seniors and across the street from an elementary school.

Public input was requested by the posting of a Public Hearing Notice on the City's Website on 11/9/2016; posted at the City Hall building on 11/10/2016; posted as part of the Council Agenda on 11/10/2016; and published in the Daily News Sun newspaper on 11/11/2016 and 11/12/2016. No input had been received prior to this meeting.

AMR Regional Director Mr. John Valentine reported Invision Health Care is the parent company of AMR; they are financially healthy and a publicly traded company. AMR provides on ground and air transfers as well as providing for physicians in emergency rooms around the country and mobile integration health. They are part of a new emerging health care field and he wants to be a partner with the City of El Mirage.

Fire Chief Jim Wise reported the discussions have been underway for quite some time and he is confident and excited to work closely with AMR. They have the Certificate of Necessity (CON) which provides the legal right to transfer patients to facilities outside this jurisdiction which covers both Maricopa and Pinal Counties. Chief Wise does not see a negative in this proposal and stated there is a good opportunity to form a very good partnership.

Dr. Isom stated this location is essential to him both as a resident and as the City Manager to ensure that an ambulatory care provider stays in El Mirage. They have stepped forward and provided excellent service. They are currently located in temporary quarters and the proposed space will be more permanent and in the middle of a medically underserved area.

Assistant Police Chief Laura Liuzzo reported the Police Department is very supportive of this proposed use. It will be beneficial to the residents of the area and right next door to the Fire Department.

Mayor Mook informed the audience that this meeting is a Public Hearing and requested input from anyone present.

El Mirage resident Laurie Carnal stated she believes this is the best idea the Council has ever had. She was in favor of a library at this location in the past but this proposed idea just seems to be a win/win.

El Mirage resident and President of the West Valley Neighborhoods Coalition Monica Dorcsey stated this building has sat empty for too long and she is very much in support of this project. She believes it will anchor a very important service for the community and is a very sound idea. Councilor Jones stated he supports the proposed use because it is in a perfect location for seniors and the school is very close. It makes sense to have the ambulance service in that location.

Councilor Selby asked if something had changed in the use requirements since there was previous consideration for converting this building to a library. He believed he was told that a variance was not possible and that the building had to continue to be used for fire department purposes. Dr. Isom clarified that he had never stated a variance could not be obtained and, in fact, advised that the possible use as a library had been researched. The challenge with converting to a library is that neither the County nor the City could justify the cost required to renovate and convert to that use.

Councilor Selby then asked who is responsible to bring the building up to code and whether it is currently up to code. Dr. Isom responded that the City has been maintaining the building and it is currently an annex fire station used for training and storage of trucks and supplies. Should this proposed use be approved by HUD and the City moves forward with AMR, they have agreed to make the improvements and take care of ongoing maintenance of the building. This agreement will not be an income source but rather bring the service to a critical area of the community. Dr. Isom also stated that as far as he is aware, the property is up to code.

Chief Jim Wise explained the code process and stated he believes it is up to current code; all utilities are on and the building is functional and in the same condition as when the crews moved out. Mr. Nilles also stated that AMR did an inspection and believes that there will be no problems.

Councilor Selby asked if any income would reduce the original grant funds in case the City wanted to purchase it in the future. Dr. Isom and Mr. Nilles both stated there would be no income but even if income could be generated, it would not be applied. Assistant Director of Housing and Community Development of Maricopa County Rachel Milne confirmed that any proceeds would actually be CDBG program income and would go back to a general income fund for HUD.

Councilor Palladino stated he believes the proposed use is an excellent idea as it is a perfect location and response times for emergencies will be reduced.

Councilor Shapera asked if this type of partnership is a new process for AMR and AMR representative Mr. Valentine answered it is not unusual to partner with a city, in fact, they currently have four in Gilbert, four in Chandler and two in Scottsdale. Councilor Shapera also asked what the renovation cost would be and was told by Mr. Valentine it would be approximately \$80,000 to ensure basic renovations. Councilor Shapera asked how many employees there were and if any will be added and he was advised by Mr. Valentine that there will be one unit with 10-12 people at any given time with the future possibility of increasing to add some non-emergency vehicles. Councilor Shapera asked if there was discussion regarding future growth of the new fire station and creating a city facility and was told there had been open discussion in case this proposal did not move forward.

Dr. Isom commented there is always a need to look to the future; one serious consideration in creating a City facility is the need to obtain a CON which is an arduous and lengthy process but AMR has offered to assist with future development and acquisition of the CON if the City desires to obtain one in the future.

Councilor Shapera asked if AMR would also provide paramedic services and Mr. Valentine responded yes, and explained the four different types of services they provide in Arizona: (1) BLS ambulances inter facility; (2) BLS for 911 services; (3) BLS RN Service; and (4) air ambulances that come in and out of the area as needed.

Councilor Delgado stated he spoke to members of the El Mirage Elementary school, across the street from the facility, and representatives he spoke with expressed their desire for the building to become a library. He further stated he believed there was insufficient notice to the apartment building directly behind the fire station and to councilors as well. He also said he had been told by the Maricopa County Library district that the cost to renovate would be approximately \$200-\$250/square foot and wondered what happened to the discussion with the County.

Dr. Isom responded to Councilmember Delgado by stating the standard notice requirements were followed like any other public hearing and notice was given as soon as the County notified the City that a Public Hearing was required. He acknowledged that Councilor Delgado has advocated for a new library over the years but also stated there is the opportunity every two years during the Council's goal setting workshop to give such a project consideration; to his knowledge, a library has not been presented as a priority. Dr. Isom further stated that given the costs associated with funding a library renovation, the federal classification of the area as medically underserved, and the risk that AMR may choose to locate outside of the City, he believes a library in this location may not be the highest and best use of the property.

Mayor Mook clarified that she had never advised Councilor Selby that he could not get a variance for a library because she does not know the County variance rules nor did she even realize the City could not charge for a lease or rent for those kinds of uses.

Vice Mayor Ramirez stated he believes the proposed use is a better fit for this building and he remembers very clearly previous discussions regarding Maricopa County Library District requiring the City to pay for renovations and code compliance. He further stated there is very little renovation for the ambulance service use, and in fact, there is a savings to the City. He asked how much control the City has that the proposed tenant will be held accountable for repairs and maintenance and Dr. Isom answered that the draft agreement has those protections in it and AMR has negotiated with staff in good faith.

Mr. Nilles answered that AMR is very supportive and agreeable to bringing it up to a good standard that will provide a positive appearance from the street and be functional for them. They are going to be housing staff and equipment in the facility and want to make sure the building is up to code and in good condition; it is to their benefit, as well, to maintain the building properly.

Chief Wise explained Code requirements regarding the use of lights and sirens, stating that ambulances normally respond with a Code 2 which is no lights and sirens, unless there is an absolute critical need for their use.

Mayor Mook asked and Mr. Nilles confirmed that the current library is City owned and while Mr. Nilles did not have a specific dollar amount of renovations readily available, he confirmed there have been significant improvements made over the years. Mayor Mook asked and Mr. Nilles advised that the current appraised value of the old fire station is approximately \$850,000. She stated the amount of money required to renovate for a library would be that much or more. Mr. Nilles advised that at the County's conservative figure of \$200/square foot, the minimum cost to renovate for a library would be \$1,000,000. Further, even after the cost of those renovations, the City would not own the building as it was originally funded by CDBG funds. Mayor Mook also commented that the use of the building for ambulance services better supported the former Fire Chief's statistics that 80-85% of all calls are medical; current Fire Chief Wise confirmed those statistics still hold.

City Attorney Robert Hall left the meeting via conference call at 6:57 pm.

Councilor Shapera asked what assurances exist that the City will not put funding into the building over the next 3 years and Dr. Isom reported AMR will meet the requirement the same as any other contract; he is comfortable AMR will uphold their commitment to make improvements. AMR representative Mr. Valentine supported Dr. Isom's assurance that no City funding will be needed.

Mr. Nilles commented that AMR has agreed to make the building relevant to their services and committed to putting \$80,000 into the building up front in lieu of rent; there is not revenue to the City but the City also does not own the building. By contrast, the building and improvements leased to Windy City Dogs is owned by the City and there is a revenue-sharing agreement; as their sales increase, the City benefits. Councilor Shapera requested projections of increased revenue from Windy City Dogs.

Vice Mayor Ramirez stated it does not make any sense to him that the City would spend \$1,000,000 on a building it does not own.

Councilor Delgado asked if the rental income will go to the General Fund and Mr. Nilles responded that there is no income; AMR will provide tenant improvements, pay for insurance, pay utilities, maintain the building and grounds, and make repairs and replace equipment as necessary in lieu of rent.

Dr. Isom stated his belief that it will be good for El Mirage residents to continue to receive ambulatory services from a location within the City.

Public Hearing closed at 7:10 pm.

- B. Consideration and action to approve Resolution R16-11-24 allowing the Police Chief, City Engineer, and Public Works Director to direct staff as necessary to address traffic calming procedures on collector streets that are at least $\frac{3}{4}$ of a mile in length and are not intersected by another collector street. (Administration)

Dr. Isom explained the need for this policy to provide staff with flexibility to address concerns, such as speeding, on collector streets as noted above, primarily addressing streets such as Acoma Drive, 127th Avenue and 129th Avenue. All cities grapple with how to control speeding and there are numerous options available such as re-striping, signs, speed bumps, and other more aggressive

methods. He would like to explore all those opportunities and have a policy in place that will defend the City from setting precedents.

Mayor Mook asked Dr. Isom to explain what has been done so far and Dr. Isom answered that Acoma Drive has been re-striped to narrow the driving lane and some signage has been installed. Without this type of policy he is limited in what more he can do to address these types of concerns.

Councilor Shapera stated his belief that these types of changes should be agendized and brought to Council to allow residents to have a voice with Council. He acknowledged there are speeding concerns and that measures need to be taken but believes changes should be heard by Council. He further stated he believes that Police Officers should be issuing more citations for speeding and other infractions.

Dr. Isom stated his concern regarding all items coming before Council in the interest of expediency for preventing situations as they arise. He stated he is seeking a broad policy statement under current code that allows some protection from precedence. Councilor Shapera conceded that there are instances where action is immediately required and he does not consider striping and bike paths to be major, but something like speed bumps he believes is major and should be considered by Council. Dr. Isom stated major items would be brought before Council for consideration.

Vice Mayor Ramirez moved to approve Resolution R16-11-24 allowing the Police Chief, City engineer, and Public Works Director to direct staff as necessary to address traffic calming procedures on collector streets that are at least $\frac{3}{4}$ of a mile in length and are not intersected by another collector street; seconded by Councilor Jones. Motion carried unanimously (7/0).

IV. ADJOURNMENT

The meeting was adjourned at 7:26 pm.



Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the El Mirage City Council Special Meeting held on Tuesday, November 15, 2016 and a quorum was present.



Sharon Antes, City Clerk